

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

# FUNDAMENTAL INNOVATION SYSTEMS INTERNATIONAL LLC,

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*Plaintiff,*

CIVIL ACTION NO. 2:16-CV-01425-JRG

LG ELECTRONICS, INC., ET AL.,

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### *Defendants.*

## **ORDER**

Before the Court is Plaintiff Fundamental Innovation Systems International LLC (“Fundamental”) and Defendants LG Electronics Inc., LG Electronics U.S.A., Inc., LG Electronics MobileComm U.S.A., Inc., LG Electronics Mobile Research U.S.A. LLC, and LG Electronics Alabama, Inc.’s (collectively, “Defendants”) Stipulation of Dismissal Under Rule 41 (the “Stipulation”). (Dkt. No. 379.) Also before the Court is the Order of Dismissal issued by Magistrate Judge Payne. (Dkt. No. 380.)

Since the dismissal with prejudice sought in the Stipulation is a final and dispositive act, the Court treats Judge Payne's order as a report and recommendation. As such, the Court adopts Judge Payne's order. It is therefore **ORDERED** that all claims and counterclaims in this matter are **DISMISSED WITH PREJUDICE**, the parties' respective pending motions are deemed withdrawn, and that each party shall bear its own costs and attorneys' fees.

## **So Ordered this**

Oct 22, 2018

Rodney Gilstrap  
RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE